

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 10-20705

HONORABLE ROBERT H. CLELAND

- vs -

D-6 ASHAK ASHAQ,

Defendant.

PRELIMINARY ORDER OF FORFEITURE

On September 9, 2011, a Fourth Superseding Indictment was filed against defendant Ashak Ashaq, and others, charging violations of 18 U.S.C. § 844(h)(1) (Use of Fire to Commit Fraud), as well as other violations of federal law. Defendant entered into a Rule 11 Plea Agreement and agreed to the entry of a forfeiture money judgment against him pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461 and Fed.R.Crim.P.32.2(b), in favor of the United States, in the amount of \$2,500,000 in U.S. Currency, as property constituting proceeds of defendant's violations of 18 U.S.C. § 844(h)(1). However, the government now seeks a money judgment in the lower amount of \$1,000,000 in U.S. Currency.

Pursuant to Fed.R.Crim.P. 32.2, and as the result of the guilty plea by defendant Ashak Ashaq to Counts 28 and 29 of the Fourth Superseding Indictment,

IT IS HEREBY ORDERED AND ADJUDGED THAT a money judgment in the amount of \$1,000,000 in U.S. Currency is granted and entered against defendant Ashak Ashaq, in favor of the United States of America, as such amount represents proceeds obtained from defendant's violations of 18 U.S.C. § 844(h)(1);

IT IS FURTHER ORDERED that pursuant to Fed.R.Crim.P. 32.2, this Preliminary Order of Forfeiture shall become final at the time defendant is sentenced, and shall be made part of defendant's sentence and included in the judgment. The entry of this Preliminary Order of Forfeiture shall not be the subject of ancillary proceedings given that the forfeiture consists entirely of a money judgment; and

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

IT IS SO ORDERED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 7, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 7, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522